

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WARD FRANCIS WEAVER, JR.,

Petitioner,

v.

KEVIN CHAPPELL, AS WARDEN OF SAN
QUENTIN CALIFORNIA STATE PRISON,

Respondent.

Case No. 1:02-cv-05583-AWI-SAB

DEATH PENALTY CASE

ORDER SETTING BRIEFING SCHEDULE
FOR INEFFECTIVE ASSISTANCE OF
COUNSEL CLAIMS

A Phase III Case Management Conference was held in this matter on September 3, 2014. Counsel Timothy Foley personally appeared and counsel Karen Schryver appeared telephonically for Petitioner, and counsel Amanda Cary appeared telephonically for Respondent. The purpose of the Case Management Conference was to establish a briefing schedule re Judge Ishii's March 24, 2014 order requiring further briefing from the parties on Petitioner's ineffective assistance of counsel claims. Following the scheduling conference, the Court conducted a confidential ex parte budget hearing and a sealed order shall issue separately addressing the budgeting issues. A sealed order authorizing an amended Phase III budget will be filed at a later date.

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Based upon the discussion at the hearing, IT IS HEREBY ORDERED that:

1. Petitioner shall file an opening brief addressing the ineffective assistance of counsel issues raised in the March 24, 2014 order on or before June 1, 2015;
2. Respondent's opposing brief shall be filed on or before August 30, 2015;
3. Petitioner's reply brief shall be filed on or before October 5, 2015; and
4. The Court shall establish further deadlines for briefing on the merits of the remaining claims after an order issues deciding the ineffective assistance of counsel claims.

IT IS SO ORDERED.

Dated: **September 4, 2014**


UNITED STATES MAGISTRATE JUDGE